UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OHIO WESTERN DIVISION

Attorneys for Plaintiff on behalf of himself and all others similarly situated, Plaintiff, Vincent Ceniceros 2727 Pine Trace Dr Maumee, Ohio 43537 vs. Defendant: Resort Recovery Solution 2535 Camino Del RI 130 San Diego, CA 92108 858-784-3500	Case No. CIVIL ACTION Amended Complaint THE Scheer, Green & Burke, LPA 241 N Superior St., Ste 300 P.O. Box 1335 Toledo, OH 43603 Telephone: (419) 243-2283 Fax: (419) 243-3567 Email: hburke@sgblegal.com

Plaintiff Vincent Ceniceros alleges as follows:

The Parties

1. At all times herein after mentioned, plaintiff is and was a resident of Maumee, Ohio.

2. Defendant, Resort Recovery Solution, is a corporation incorporated under the laws of California and having an address of 2535 Camino Del RI #130. San Diego, CA 92108.

3. Defendant, Resort Recovery Solution 2535 Camino DEL RIO #130. San Diego, CA 92108.

Jurisdiction

4. The Court has jurisdiction over this action pursuant to 15 U.S.C. § 1681 et seq., the "Fair Credit Reporting Act (FCRA) and 15 U.S.C. §§ 1692-1692p, the "Fair Debt Collection Practices Act."

procured consumer reports for employment purposes by failing to make proper disclosures required thereunder and/or by failing to make and/or obtain the required certifications required thereunder.

Defendant's Statutory Violations

5. The Defendant is reporting derogatory information about Plaintiff to one or more consumer reporting agencies (credit bureaus) as defined by 15 U.S.C. § 1681a.

6. Plaintiff has disputed the accuracy of the derogatory information reported by the Defendant to the Consumer Reporting Agency Transunion on four separate occasions.

7. Defendant has not responded to Plaintiff's four contacts of dispute by providing evidence of the alleged debt to Plaintiff nor to the Consumer Reporting Agency Transunion.

8. Defendant has not provided notice of this disputed matter to the credit bureaus and is therefore in violation of 15 U.S.C. § 1681s-2 which requires this notice.

9. Defendant has failed to comply with 15 U.S.C. § 1692g in that it has not within 5 days of Plaintiff's initial communication (nor at any other time) sent Plaintiff written documentation of the amount of the debt, the name of the original creditor nor other information required by the Fair Credit Reporting Act.

10. Defendant has failed to complete an investigation of Plaintiff's written dispute and provide the results of an investigation to Plaintiff within the 30 day period as required by 15 U.S.C. § 1681s-2.

11. Defendant has not notified Plaintiff of any determination that Plaintiff's dispute is frivolous within the 5 days required by 15 U.S.C. § 1681s-2, nor at any other time.

Prayer for Relief

12. WHERFORE,

Plaintiff seeks a reasonable and fair judgment against defendant for willful noncompliance of the Fair Credit Reporting Act and seeks his statutory remedies as defined by 15 U.S.C. § 1681n and demands:

$1,000 for actual damages

$25,000 in punitive damages

Permanent injunction against the Defendant from reporting derogatory information about Plaintiff to Consumer Reporting Agencies (credit bureaus)

Permanent injunction against Defendant for selling this alleged debt to any other party

Any further relief which the court may deem appropriate.

Dated:

Scheer, Green & Burke, LPA Firm

Respectfully Submitted, By: ______________________

Michael. Burke, LPA
241 N Superior #300.
Toledo, OH 43604.

Attorney for Plaintiff: Vincent Ceniceros